

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Matt Blunt, Governor • Doyle Childers, Director

www.dnr.mo.gov

MEMORANDUM

DATE: JUN 30 2008

TO: Hazardous Waste Enforcement File
Greenleaf, L.L.C.
Neosho, Missouri
EPA #MOR000526152

FROM: Candace Bias
Hazardous Waste Enforcement Unit
Hazardous Waste Program

SUBJECT: Site Visit – Greenleaf, L.L.C.
Neosho, Newton County, Missouri

RESP RECEIVED

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On May 11, 2008, Mr. David Allison of the Missouri Department of Natural Resources' Southwest Regional Office and I visited Greenleaf, L.L.C. (Greenleaf), located at 13960 Palm Road in Neosho, Missouri. On April 21 – 22, 2008, the Missouri Department of Agriculture (MDA) inspected both Greenleaf facilities. MDA could not locate ten of the pesticides that had been placed under a Stop Sale, Use, or Removal Order (SSURO) during their last inspection and Greenleaf had started operating at their Pineville location. Due to the changing conditions, the department decided to visit the site.

We spoke with Mr. Ralph Kunz, Plant Manager, and explained that the purpose of our visit was to evaluate Greenleaf's current compliance with hazardous waste laws and regulations. Mr. Kunz explained that he began working for Greenleaf on February 18, 2008. We walked around the showroom and the area behind the showroom of Building 1 (see photograph). It seemed to be in much better order than our last visit and there was less stored in the building. Gaylord boxes were stacked three high to the ceiling on shelving units. There was adequate aisle space to observe boxes at eye level. In multiple boxes I observed pesticide spills and the mixing of spilled pesticides. Many of the boxes contained Sevin insecticide which has the active ingredient carbaryl. I also identified canisters of Sevin that had spilled during storage and were empty. Carbaryl is a U279 listed hazardous waste. These wastes were not properly managed, labeled, or containerized as a hazardous waste. I also observed some dry spills on the floor and shelving (see photographs).

Next we went into the pesticide production room of Building 1. The SSURO items had been moved from the back of the show room to the pesticide production room in Building 1. The pesticides were marked and cordoned off with tape. I asked Mr. Kunz if he had found the SSURO pesticides that were discovered missing during the last MDA inspection. He attributed their disappearance to the fact that the SSURO pesticides had been moved multiple times. Mr. Kunz thought that they were still on site but he was waiting for a list of the items from the MDA. The Gaylord boxes containing pesticides that were under the SSURO appeared to be from



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more than one source. Because a single specific pesticide source could not be identified for each box, prior to disposal the waste would need to be characterized by testing rather than generator knowledge. The large bins of granular material that were under the SSURO were still present; however the two fertilizer bins not under a SSURO were now empty. Spills of dry, granular material on the floor and on pallets were also common (see photographs).

We then headed to Building 2. The 55-gallon drums of liquid had been moved to the northeast corner of the building. One of the drums was labeled with black marker, "Ready to Use" and another drum was labeled, "Weed Killer." I could not visually inspect every 55-gallon drum due to inadequate aisle space. There were several boxes of small liquid containers near the drums. Many of the containers appeared damaged. A few of the leaking containers had been placed in zipper type plastic bags (see photographs).

Nearby there were aerosol cans in boxes along with liquid containers. I observed that many of the aerosol cans were missing their spray caps or felt empty (see photographs). Mr. Kunz informed us that more liquid containers had been stored outside in a trailer. I then walked through the rest of Building 2. The west side of the building was packed and did not have adequate aisle space to do a proper inspection. Most of the items on the west side of the building appeared to be dry, bagged pesticides. Spills had not been cleaned up (see photographs). Along the west wall of Building 2 I observed three Gaylord boxes that had been spray painted with the words "FREE PEST" (see photograph). It was evident that the boxes had been labeled by Greenleaf because similar writing appeared on boxes in Building 1 placed under the SSURO. Mr. Kunz did not know why they had been labeled that way.

We then walked through Building 3 and viewed the debagging of potting soil at the far west of the property. The items in Building 3 appeared to be mostly potting soil and charcoal. I observed one bag of pesticides on a pallet. Mr. Kunz stated that they had tried to remove all the pesticides from the building. The dumpster in the building did not contain pesticides.

Finally, we looked at the items stored in the storage trailer. The boxes were in disarray and there was no aisle space (see photograph). We did not enter the trailer and were unable to visually observe its contents. Mr. Kunz told us that they had moved these items into the trailer to relieve some of the congestion in Building 2.

Pineville

Mr. Allison and I continued to the Greenleaf facility located at South Business Highway 71, Pineville, Missouri. We met with Mr. Robert Applegarth in his office. Mr. Applegarth now works solely at the Pineville facility. When asked, he told us that they have four fulltime workers. He stated that all the material they have on site came from the Neosho facility. He informed us that the bagging equipment was now operational. He plans to start bagging potting soil and charcoal once the bags ordered from Triple S Solutions arrive. Greenleaf's Pineville location ordered 10,000 bags for charcoal and 10,000 bags for potting soil with the Greenleaf name. The bagged items were to be sold at gas stations.

Mr. Applegarth stated that no pesticide production is done at the facility. He explained that they remove fertilizers, potting soil, and charcoal from the Gaylord boxes and leave the rest. They then manage the items they removed from the boxes for re-bagging and resale.

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Next we entered the operations area of the warehouse. A strong smell of ammonia was emanating from the southwest corner of the building. Mr. Applegarth speculated that the smell was the result of fertilizer getting wet. He told us that the MDA inspectors had informed him that one of the pesticides for killing moles would produce a hazardous gas if it became wet. I identified two pesticides that had zinc phosphide as the sole active ingredient, *Sweeney's Poison Peanuts Mole and Gopher Bait* and *Grant's Sure Stop Gopher Killer Pellets* (see photograph). Zinc phosphide is a U249 listed hazardous waste. These wastes were not properly managed, labeled, or containerized as a hazardous waste.

Employees in the warehouse were sorting the contents of Gaylord boxes. The warehouse appeared to be loosely organized, with pesticides haphazardly segregated in the southwest corner of the building. Spilled materials were everywhere (see photographs). Boxes and their contents were in poor, deteriorated condition due to previous exposure to the outside elements (see photographs).

At several locations, I identified dry *Garden Tech's Sevin-5* in both the bag and canister (see photographs). Sevin is a pesticide that contains carbaryl as the sole active ingredient. Carbaryl is a listed hazardous waste. These wastes were not properly managed, labeled, or containerized as a hazardous waste.

Mr. Applegarth told us that employees sweep all floor sweepings into large super sacks. He estimated that they have four or five super sacks with floor sweepings already. The floor sweepings that I observed were not homogeneous and appeared to be from multiple sources (see photograph).

CB:ml

Attachment

c: Mr. Paul Bailey, Missouri Department of Agriculture,
Bureau of Pesticide
Hazardous Waste Program, Enforcement Unit
Ms. Beth Koesterer, U.S. Environmental Protection
Agency, Region 7
Solid Waste Management Program
Ms. Mary Jane Wingett, U.S. Environmental Protection
Agency Region 7

**Photographs for Site Memo
Greenleaf, L.L.C.
Neosho and Pineville, MO**



Date: May 11, 2008

Site: Greenleaf, L.L.C., Building 1

MOR000526152 and 042018

13960 Palm Road, Neosho, MO 64850

Photographer: Candace Bias

View of the area behind the show room. Gaylord boxes are stacked three high to the ceiling. The only boxes that could be observed were the ones at eye level.



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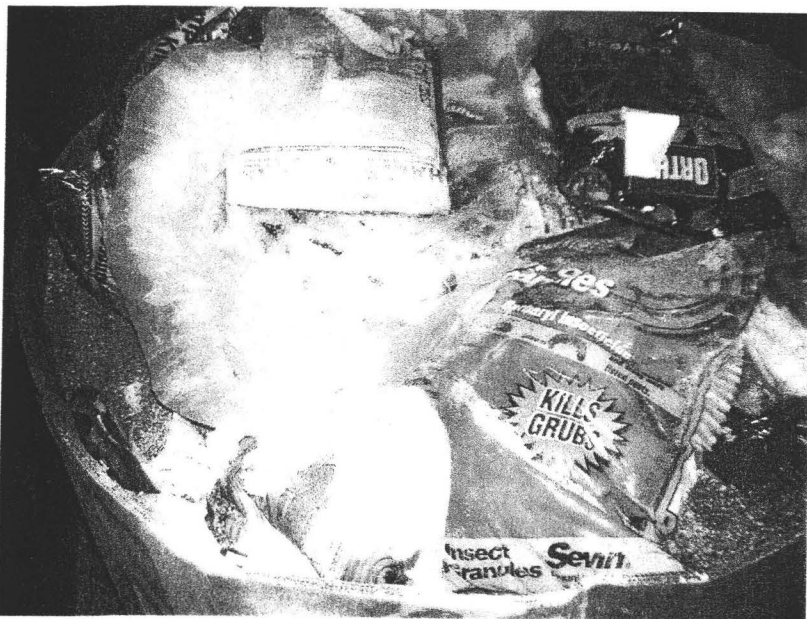
View of spilled pesticide in Building 1.



Date: May 11, 2008
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 MOR000526152 and 042018
 13960 Palm Road, Neosho, MO 64850
Photographer: Candace Bias
 View of spills on the floor of Building 1.



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 13960 Palm Road, Neosho, MO 64850
Photographer: Candace Bias
 View of the pesticide Sevin, containing the active ingredient carbaryl. Carbaryl is a U279 listed hazardous waste. This hazardous waste is not properly managed.



Date: May 11, 2008

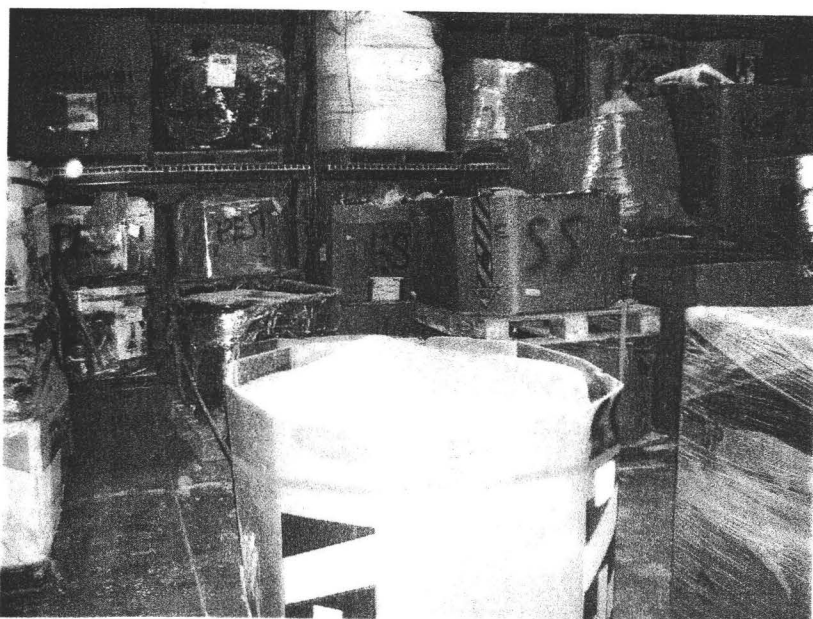
Site: Greenleaf, L.L.C., Building 1

MOR000526152 and 042018

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Photographer: Candace Bias

View of the pesticide Sevin, containing the active ingredient carbaryl. Carbaryl is a U279 listed hazardous waste. This hazardous waste is not properly managed.



Date: May 11, 2008

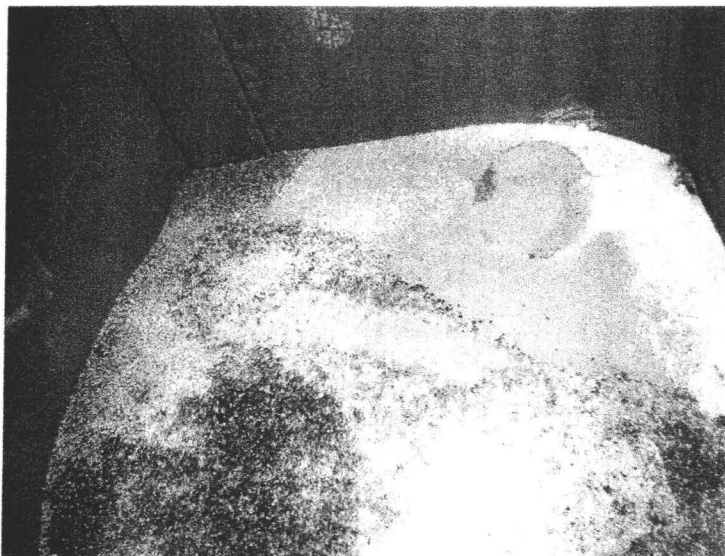
Site: Greenleaf, L.L.C., Building 1

MOR000526152 and 042018

13960 Palm Road, Neosho, MO 64850

Photographer: Candace Bias

View of Stop Sale, Use or Removal pesticides in Building 1.



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MOR000526152 and 042018

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Photographer: Candace Bias

View of Stop Sale, Use or Removal pesticides in Building 1. Note the coloration and grain size of the pesticides indicating that it is a mixture from several sources.



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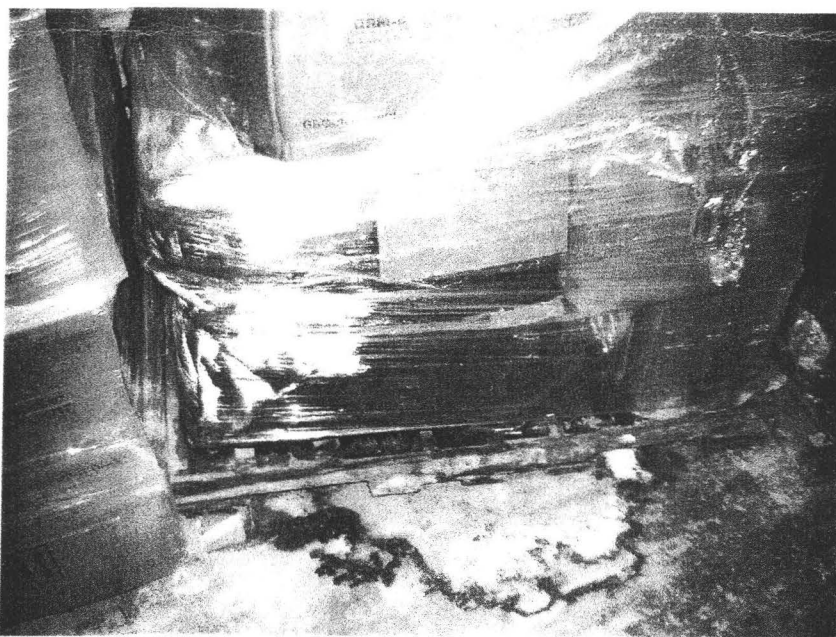
13960 Palm Road, Neosho, MO 64850

Photographer: Candace Bias

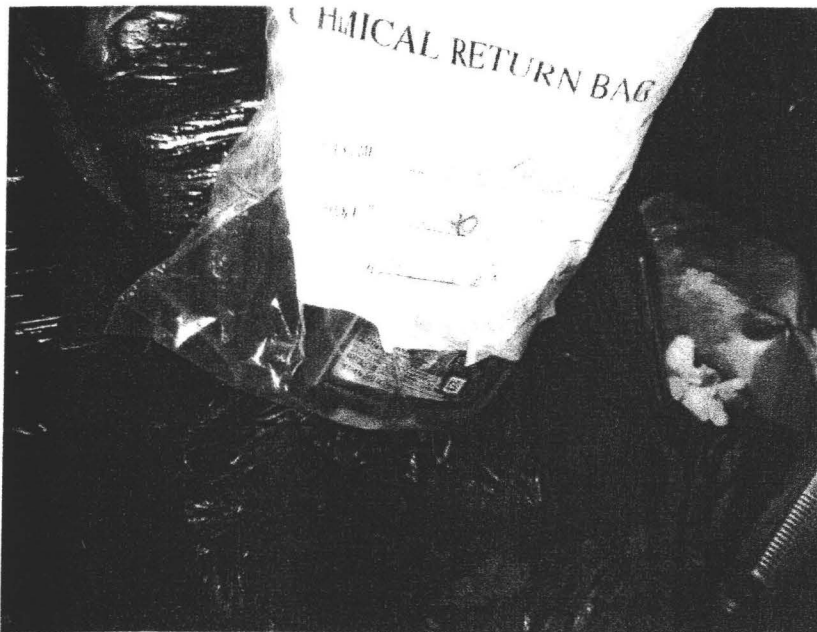
View of Stop Sale, Use or Removal pesticides in Building 1. The dry white powder and labeling as "5% Insect Dust" is consistent with the pesticide Sevin, containing the active ingredient carbaryl. Carbaryl is a U279 listed hazardous waste. This hazardous waste is not properly managed.



Date: May 11, 2008
Site: Greenleaf, L.L.C., Building 2
MOR000526152 and 042018
13960 Palm Road, Neosho, MO 64850
Photographer: Candace Bias
Drums of liquid in Building 2.



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MOR000526152 and 042018
13960 Palm Road, Neosho, MO 64850
Photographer: Candace Bias
Evidence of spills from the liquid containers in Building 2. Note that the box at the bottom of the pallet is dark brown due to liquids soaking the box.



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View of liquid pesticide in Building 2. Note that it is leaking and the bag is wet.



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View aerosol cans in Building 2.



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Photographer: Candace Bias

View of dry spill on west side of Building 2. The dry white powder next to a bag of Sevin is likely Sevin pesticide, which is a listed hazardous waste when disposed.



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MOR000526152 and 042018

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View of boxes labeled "Free Pest" on the west side of Building 2. Note the inadequate aisle space.



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View of trailer in parking lot that contains pesticides removed from Building 2.

Greenleaf, Pineville



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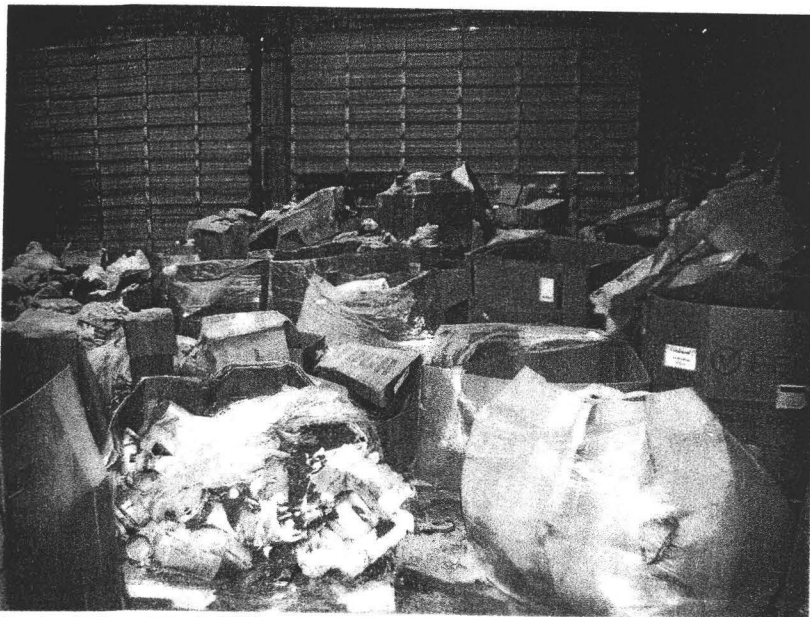
Site: Greenleaf, L.L.C.

South Business Highway 71

Pineville, Missouri

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Overview of the facility.



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Overview of pesticide area. Note the damaged boxes and lack of organization.



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South Business Highway 71

Pineville, Missouri

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View of Sweeney's Poison Peanuts Mole and Gopher Bait and Grant's Sure Stop Gopher Killer Pellets. Both pesticides contain the active ingredient zinc phosphide, a U249 listed hazardous waste at this concentration. This hazardous waste is not properly managed. Zinc phosphide can also produce gas that is dangerous to humans if it becomes wet.



Date: May 11, 2008

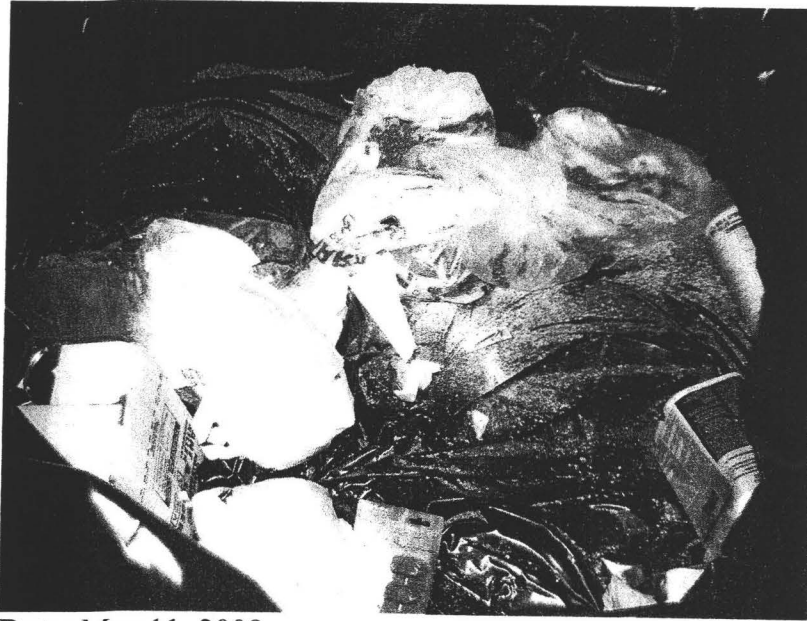
Site: Greenleaf, L.L.C.

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View of spills.



Date: May 11, 2008

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View of spills and the mixing of pesticides in boxes.



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South Business Highway 71

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View of spills and mixing of pesticides in boxes.



Date: May 11, 2008

Site: Greenleaf, L.L.C.

South Business Highway 71

Pineville, Missouri

Photographer: Candace Bias

View of spills and box in poor condition due to exposure to the elements.



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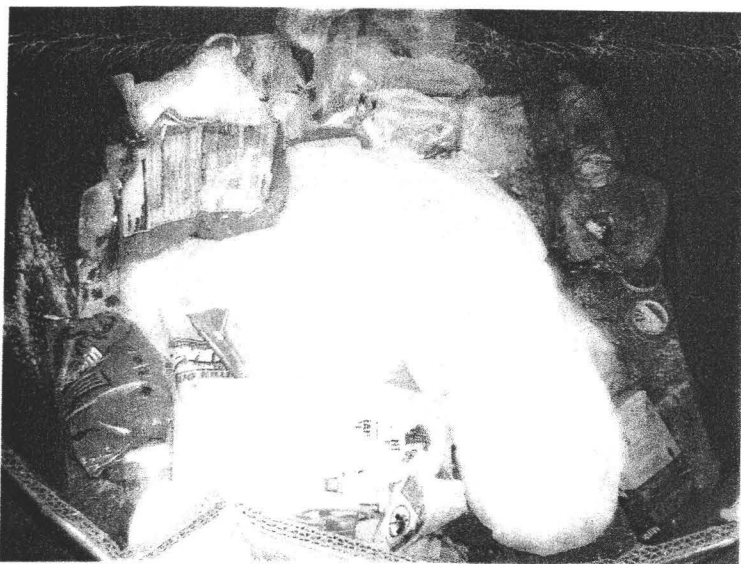
Site: Greenleaf, L.L.C.

South Business Highway 71

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View of the pesticide Sevin, containing the active ingredient carbaryl. Carbaryl is a U279 listed hazardous waste. This hazardous waste is not properly managed.



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View of floor sweepings.